

REMARKS

Claims 1-54 were previously pending in this application. Applicants respectfully request reconsideration of the instant application in view of the foregoing amendments and the following remarks. By this Amendment/Response, claim 1 has been amended to provide clarification, improve form, and/or correct minor typographical informalities. Applicants submit that support for the amended claims may be found throughout the originally filed specification, drawings, and claims, and that no new matter has been added by way of this Amendment/Response. Furthermore, Applicants maintain that the original claims are in condition for allowance and explicitly reserve the right to add/pursue the claims as originally filed at a later date and/or in one or more continuation and/or divisional applications. Claims 1-54 are currently pending.

Rejections under 35 U.S.C. § 103

Claims 1, 2, 4-6, 21, 22, 30, 31, 39 and 40 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cooley, U.S. Patent Application no. 2003/0055979 (hereinafter, “Cooley”) in view of Yip et al., U.S. Patent no. 6,980,550 (hereinafter, “Yip”) and in further view of Liston, U.S. Patent Application no. 2004/0103314 (hereinafter, “Liston”); claims 3 and 7 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cooley in view of Yip and in further view of Liston and in further view of Hamzy et al., U.S. Patent no. 6,941,368 (hereinafter, “Hamzy”); claims 8-11, 13-20, 23-26, 28, 29, 32-35, 37, 38, 41-45 and 47-54 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cooley in view of Yip and in further view of Liston and in further view of Chari et al., U.S. Patent Application no. 2004/0019781 (hereinafter, “Chari”); and claims 12, 27, 36 and 46 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over

Cooley in view of Yip and in further view of Liston and in further view of Chari and in further view of Griffiths et al., U.S. Patent no. 6,286,045 (hereinafter, “Griffiths”). Applicants respectfully traverse these rejections and submit that a *prima facie* showing of obviousness has not been established and that the applied references, taken alone or in combination, fail to discuss or render obvious every element of each pending claim.

MPEP § 706.02(j) prescribes that a rejection under 35 U.S.C. § 103 should set forth:

- (i) the relevant teachings of the prior art relied upon,
- (ii) the differences in the claim over the applied references,
- (iii) the proposed modification of the applied references to arrive at the claimed subject matter, and
- (iv) an explanation as to why the claimed invention would have been obvious to one of ordinary skill in the art at the time the invention was made.

Applicants submit that the rejections in the pending Office Action do not establish at least the first two requirements, the relevant teachings of the prior art relied upon, as well as the differences in the claim over the applied references.

Independent claim 1 recites, *inter alia*:

A processor-implemented method of detecting unauthorized access attempts to a network, comprising:
...
generating via a processor a substitute return address corresponding to output of a function applied to said address, said substitute return address corresponding to a used one of a block of substitute addresses;
returning said substitute return address to said user;
...

In the pending rejection, the Examiner alleges that:

As per claim 1...Cooley discloses receiving a request from a user to obtain an address (see paragraph [0018] and Abstract); obtaining said address; generating a

substitute return address corresponding to said address, said substitute return address corresponding to a used one of a block of addresses (see paragraphs [0018] and [0021]); returning said substitute return address to said user (see paragraph [0018] and Abstract).
(p. 2, ¶ 4, Office Action)

Applicants respectfully disagree and submit that Cooley does not discuss or render obvious at least the claimed "generating ...a substitute return address...corresponding to a used one of a block of substitute addresses" and the claimed "returning said substitute return address to said user" as recited in independent claim 1.

In direct contrast to the claimed "generating ... a substitute return address..." and "returning said substitute return address to said user", Cooley's system simply "intercepts a locator request ... for the domain name of a destination host site, requests all available IP addresses for that site, determines the IP address with the fastest response [for that domain name/site], and returns the this address to the end user" (Abstract, Cooley), which makes no mention of whatsoever the claimed "generating ...a substitute...address" (emphasis added). Moreover, the Examiner's cited portions of Cooley, paragraph 0018 discusses that "[a] name resolver program... intercepts a request from the browser to a DNS server ... to translate the domain name to an IP address" (¶ 0018, Cooley), and then "the DNS server ...returns one or more IP addresses associated with the host name to the name resolver... . the name resolver...returns the IP address [which is one of the one or more IP addresses] to the browser program..." (¶ 0021, Cooley; emphasis added). As such, Applicants submit that Cooley's Internet domain resolver simply returns one of the obtained IP addresses associated with the domain name (i.e. the numeric octets found in a Whois resolution of the domain name) to the user, but does not "[generate] ...a substitute return address corresponding to said [(requested)] address" or "[return] said substitute return address to said user" as recited in independent claim 1.

Furthermore, Applicants submit that the various cited references, Yip, which

discusses a "method for forwarding data packets to one of a plurality of servers" (Abstract, Yip), Liston, which discusses a "method and system for protecting a computer network against unauthorized users probing computer networks for vulnerabilities" (Abstract, Liston), Hamzy, which "enables a Web server to ensure that any prerequisite resource is served before, or in conjunction with, a requested resource" (Abstract, Hamzy), Chari, which discusses "[s]everal deterrence mechanisms suitable for content distribution networks (CDN)" (Abstract, Chari), Griffiths, which discusses "[a] system for storing information on a computer network and allowing the information to be accessed by terminals connected to the computer network, either directly, or through an intermediary device such as a local or proxy server" (Abstract, Griffiths), taken alone or in combination, fail to remedy the deficiencies in Cooley as discussed above.

The MPEP prescribes that, "when evaluating the scope of a claim, *every limitation in the claim must be considered*," [§ 2106 II(C), emphasis added] and, "*All words* in a claim must be considered in judging the patentability of that claim against the prior art." [§ 2143.03, emphasis added]. Because the pending rejection has not established a *prima facie* case of anticipation by neglecting and/or mischaracterizing claim elements and because the applied reference does not discuss or render obvious at least the claim elements discussed above, Applicants respectfully request reconsideration and withdrawal of this basis of rejection with regard to independent claim 1. Should the Examiner maintain the rejection, Applicants respectfully request that the Examiner provide specific citations and explanations describing how the cited references discuss or render obvious at least the cited references of independent claim 1.

Although of different scope than claim 1, Applicants submit that independent claims 21, 30 and 39 are patentable over the cited references for at least similar reasons as discussed above identifying deficiencies in Cooley with regard to independent claim 1. Furthermore, Applicants submit that claims 2-20, 22-29, 31-38 and 40-54, which are directly or

indirectly dependent independent claims 1, 21, 30 and 39 respectively, are also not discussed or rendered obvious by the cited references for at least similar reasons to those discussed above identifying deficiencies in Cooley with regard to the independent claims. Accordingly, Applicants respectfully request reconsideration and withdrawal of these grounds of rejections.

Conclusion

In summary, Applicants submit that independent claims 1, 21, 30 and 39 are patentably distinct from the applied references, taken alone or in combination, for at least the reasons discussed above. Applicants submit that claims 2-20, 22-29, 31-38 and 40-54, which are directly or indirectly dependent from independent claims 1, 21, 30 and 39 respectively, are also distinct from the applied references, taken alone or in combination, for at least the reasons discussed above.

As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, ability to combine references, assertions as to patentability of dependent claims) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such in the future. Furthermore, Applicants submit that the originally filed claims are directed to statutory subject matter. As such, Applicants reserve the right to pursue the originally filed claims in one or more continuation application(s). Accordingly, Applicants respectfully request reconsideration/further examination of the instant application in view of the foregoing Amendments/Remarks.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 03-1240, Order No. 19161-010.

In the event that an additional extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 03-1240, Order No. 19161-010.

Respectfully submitted,

Chadbourne & Parke LLP

Dated: September 2, 2009

By: /Walter G. Hanchuk/
Walter G. Hanchuk
Registration No. 35,179

Chadbourne & Parke, L.L.P.
30 Rockefeller Plaza
New York, NY 10112
212-408-5100 Telephone
212-541-5369 Facsimile